

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE, AT KNOXVILLE**

<b>UNITED STATES OF AMERICA</b>	)	
<b>Plaintiff,</b>	)	
<b>V.</b>	)	<b>NO. 3:21CR38</b>
	)	
<b>BENJAMIN A. CARPENTER</b>	)	
<b>Defendant.</b>	)	

**MOTION TO CONTINUE TRIAL, ALL OTHER DATES AND DEADLINES**

The Defendant, by and through counsel, moves the Court pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B) to continue the trial of this matter currently set for July 21, 2020. The Defendant requests that the trial date be continued for approximately 60 days from the current trial date. He further asks that all other deadlines be extended as well, including the motions deadline. In support of this motion, the Defendant respectfully asserts the following:

1. As the Court is aware the Government has filed a motion for protective order in this matter (doc. 17) that has not been resolved. Counsel has not accessed the discovery pending the outcome of that motion.
2. Due to not reviewing the discovery until the pending protective order is addresses, Counsel cannot make a determination on pre-trial motions.
3. Counsel has not been able to complete the investigation into the facts and circumstances of this matter and cannot yet fully advise the Defendant of the best possible resolution for his case.
4. Granting a continuance in this case will provide the parties an opportunity to make a full resolution of the case against the Defendant; it will serve the ends of justice in that the need

for additional time to properly prepare the case outweighs the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A) & (B).

5. The right to a speedy trial has been previously explained to the Defendant, who is in custody, and he understands that the period of time between the filing of this motion for continuance and a rescheduled court date will be fully excludable for speedy trial purposes.
6. The government has been made aware of this request.

Respectfully submitted this the 22th day of April, 2021.

FEDERAL DEFENDER SERVICES OF EASTERN  
TENNESSEE, INC.

BY: s/Benjamin G. Sharp  
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COUNSEL FOR DEFENDANT

### **CERTIFICATE OF SERVICE**

I hereby certify that on April 22, 2021, a copy of the foregoing Motion for Continuance was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

*s/Benjamin G. Sharp*